

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

THE BANK OF NEW YORK MELLON FKA THE

BANK OF NEW YORK, AS TRUSTEE FOR THE

CERTIFICATEHOLDERS OF CWALT, INC.,

ALTERNATIVE LOAN TRUST 2007-22, MORTGAGE

PASS-THROUGH CERTIFICATES, SERIES 2007-22

In Re:

Steven Kirker,

Debtor.



Order Filed on April 20, 2020

by Clerk

U.S. Bankruptcy Court

District of New Jersey

Case No.: 19-10367 RG

Adv. No.:

Hearing Date: 3/4/2020 @ 10:00 a.m.

Judge: Rosemary Gambardella

**ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED
CREDITOR'S MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: April 20, 2020

A handwritten signature in cursive script that reads "Rosemary Gambardella". Below the signature is a horizontal line, and underneath the line, the text "Honorable Rosemary Gambardella" and "United States Bankruptcy Judge" is printed.
Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Steven Kirker

Case No: 19-10367 RG

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2007-22, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-22, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 104 Prospect Street, Nutley, NJ, 07110, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Adrian Johnson, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of March 13, 2020 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due February 2019 through February 2020 for a total post-petition default of \$27,740.34 (10 @ \$2,395.50, 2 @ \$2,443.60, PPFN Fee \$900.00, \$2,001.86 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$27,740.34 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor shall file a modified plan within thirty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that the Secured Creditor does waive right to post-petition arrears that may accrue while this is in the loss mitigation program; and

It is further **ORDERED, ADJUDGED and DECREED** that loss mitigation payments are to resume March 1, 2020, directly to Secured Creditor, Shellpoint Mortgage Servicing, P.O. Box 10826, Greenville, SC 29603-0826 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

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Debtor: Steven Kirker

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CREDITOR'S MOTION FOR RELIEF

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan;

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Steven Kirker
DebtorCase No. 19-10367-RG
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 21, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Apr 23, 2020.

db +Steven Kirker, 104 Prospect Street, Nutley, NJ 07110-3143

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 23, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on April 21, 2020 at the address(es) listed below:

Adrian Johnson on behalf of Debtor Steven Kirker evanf@diazlawnow.com
 Benjamin A. Stanziale, Jr. on behalf of Creditor Advanced Dental Aesthetics
 ben@stanzialelaw.com
 Charles G. Wohlrab on behalf of Creditor The Bank of New York Mellon FKA The Bank of New York,
 as Trustee (CWALT 2007-22) cwohlab@LOGS.com, njbankruptcynotifications@logs.com
 Denise E. Carlon on behalf of Creditor Bayview Loan Servicing, LLC, as servicer for THE BANK
 OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2007-22) dcarlon@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Gavin Stewart on behalf of Creditor Capital One Auto Finance, a division of Capital One,
 N.A. bk@stewartlegalgroup.com
 Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance, a division of Capital
 One, N.A. jschwartz@mesterschwartz.com
 Jill Manzo on behalf of Creditor Bayview Loan Servicing, LLC, as servicer for THE BANK OF
 NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2007-22) bankruptcy@feinsuch.com
 Marie-Ann Greenberg magecf@magtrustee.com
 Rebecca Ann Solarz on behalf of Creditor The Bank of New York Mellon FKA The Bank of New York,
 as Trustee (CWALT 2007-22) rsolarz@kmlawgroup.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10